

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE: CATTLE AND BEEF
ANTITRUST LITIGATION

This document relates to:

All Cases

Case No. 0:22-md-03031 (JRT/JFD)

**PLAINTIFFS' MOTION TO
PERMIT LIMITED
EVIDENTIARY RULE 30(b)(6)
DEPOSITIONS AFTER THE
CLOSE OF FACT DISCOVERY**

The undersigned Plaintiffs hereby move this Court for an Order permitting limited evidentiary Rule 30(b)(6) depositions after the close of fact discovery, amending the Pretrial Scheduling Order (Case No. 20-cv-01319, ECF No. 571) to permit one additional Rule 30(b)(6) deposition of up to seven hours to be taken of any party, limited to issues of authenticity and admissibility of documents, and amending the Second Order Amending Case Schedule (ECF No. 575) to allow these limited evidentiary depositions to occur after the close of fact discovery should there remain disputes over exhibits. This motion is based on the memorandum, declarations, and materials submitted with this motion and the arguments of counsel at the hearing on the motion.

Dated: April 11, 2024

/s/ Brian D. Clark

Brian D. Clark (#0390069)
W. Joseph Bruckner (#0147758)
Arielle S. Wagner (#0398332)
Kyle Pozan (*pro hac vice*)
Simeon A. Morbey (#0391338)
Stephen M. Owen (#0399370)
LOCKRIDGE GRINDAL NAUEN P.L.L.P.
100 Washington Avenue South, Suite 2200
Minneapolis, MN 55401
T: (612) 339-6900
wjbruckner@locklaw.com
bdclark@locklaw.com
aswagner@locklaw.com
kjpozan@locklaw.com
samorbey@locklaw.com
smowen@locklaw.com

/s/ Shana E. Scarlett

Shana E. Scarlett (*pro hac vice*)
Rio S. Pierce (*pro hac vice*)
Abby R. Wolf (*pro hac vice*)
Sarah E. Dupree (*pro hac vice*)
**HAGENS BERMAN SOBOL SHAPIRO
LLP**
715 Hearst Avenue, Suite 300
Berkeley, California 94710
T: (510) 725-3000
shanas@hbsslaw.com
riop@hbsslaw.com
abbyw@hbsslaw.com
sarahd@hbsslaw.com

Steve W. Berman (*pro hac vice*)
**HAGENS BERMAN SOBOL SHAPIRO
LLP**
1301 Second Avenue, Suite 2000
Seattle, Washington 98101
T: (206) 623-7292
steve@hbsslaw.com

*Counsel for Plaintiffs and the Proposed
Consumer Indirect Purchaser Classes in the
Peterson Action*

/s/Adam J. Zapala

Adam J. Zapala (*pro hac vice*)
Elizabeth T. Castillo (*pro hac vice*)
James G. Dallal (*pro hac vice*)
**COTCHETT, PITRE & MCCARTHY,
LLP**
840 Malcolm Road, Suite 200
Burlingame, CA 94010
T: (650) 697-6000
azapala@cpmlegal.com
ecastillo@cpmlegal.com
jdallal@cpmlegal.com

Alexander E. Barnett (*pro hac vice*)
**COTCHETT, PITRE & MCCARTHY,
LLP**
40 Worth Street, Suite 602
New York, NY 10013
T: (212) 201-6820
abarnett@cpmlegal.com

Jason S. Hartley (*pro hac vice*)
HARTLEY LLP
101 W. Broadway, Suite 820
San Diego, CA 92101
T: (619) 400-5822
hartley@hartleyllp.com

/s/ Daniel E. Gustafson

Daniel E. Gustafson (#202241)
Daniel C. Hedlund (#259337)
Michelle J. Looby (#0388166)
Joshua J. Rissman (#0391500)
Anthony J. Stauber (#0401093)
Bailey Twyman-Metzger (#0400179)
GUSTAFSON GLUEK PLLC
Canadian Pacific Plaza
120 So. Sixth Street, Suite 2600
Minneapolis, MN 55402
T: (612) 333-8844
dgustafson@gustafsongluek.com
dhedlund@gustafsongluek.com
mlooby@gustafsongluek.com
jrissman@gustafsongluek.com
tstauber@gustafsongluek.com
btwymanmetzger@gustafsongluek.com

Dennis J. Stewart (*pro hac vice*)
GUSTAFSON GLUEK PLLC
600 W. Broadway, Ste. 3300
San Diego, CA 92101
Tel: (612) 333-8844
Fax: (612) 339-6622
dstewart@gustafsongluek.com

Megan E. Jones (*pro hac vice*)
HAUSFELD LLP
600 Montgomery Street, Suite 3200
San Francisco, CA 94111
T: (415) 633-1908
mjones@hausfled.com

*Interim Co-Lead Counsel for the Direct
Purchaser Plaintiffs*

/s/ Patrick J. McGahan

David R. Scott (*pro hac vice*)
Amanda F. Lawrence (*pro hac vice*)
Patrick J. McGahan (*pro hac vice*)
Michael P. Srodoski (Bar No. 0398250)
G. Dustin Foster (*pro hac vice*)
Isabella De Lisi (*pro hac vice*)
SCOTT+SCOTT
ATTORNEYS AT LAW LLP
156 Main Street
P.O. Box 192
Colchester, CT 06415
T: 860-537-5537
david.scott@scott-scott.com
alawrence@scott-scott.com
pmcgahan@scott-scott.com
msrodoski@scott-scott.com
gfoster@scott-scott.com
idelisi@scott-scott.com

Joseph P. Guglielmo (*pro hac vice*)
SCOTT+SCOTT
ATTORNEYS AT LAW LLP
The Helmsley Building
230 Park Avenue, 17th Floor
New York, NY 10169
T: 212-223-6444
jguglielmo@scott-scott.com

Jennifer W. Sprengel (*pro hac vice*)
Ellen Meriwether (*pro hac vice*)
Daniel O. Herrera (*pro hac vice*)
Kaitlin Naughton (*pro hac vice*)
**CAFFERTY CLOBES MERIWETHER &
SPRENGEL LLP**
135 S. LaSalle Street, Suite 3210
Chicago, IL 60603
T: 312-782-4882
jsprengel@caffertyclobes.com
emeriwether@caffertyclobes.com
dherrera@caffertyclobes.com
knaughton@caffertyclobes.com

*Interim Co-Lead Counsel for the Cattle
Plaintiffs*

K. Craig Wildfang (#0117043)
Thomas J. Undlin (#0183751)
Stacey P. Slaughter (#0296971)
Geoffrey Kozen (#0398626)
Eric P. Barstad (#0398797)
ROBINS KAPLAN LLP
800 LaSalle Avenue, Suite 2800
Minneapolis, MN 55402
T: 612-349-8500
kcwildfang@robinskaplan.com
tundlin@robinskaplan.com
sslaughter@robinskaplan.com
gkozen@robinskaplan.com
ebarstad@robinskaplan.com

Kellie Lerner
ROBINS KAPLAN LLP
399 Park Avenue, Suite 3600
New York, NY 10022
T: 212-980-7400
kclerner@robinskaplan.com

Liaison Counsel for the Cattle Plaintiffs

/s/ Shawn M. Raiter
Shawn M. Raiter (#240424)
LARSON KING LLP
30 East Seventh Street, Suite 2800
St. Paul, MN 55101
T: (651) 312-6518
sraiter@larsonking.com

Michael J. Flannery (*pro hac vice*)
CUNEO GILBERT & LADUCA, LLP
4725 Wisconsin Avenue, NW, Suite 200
Washington, DC 20016
T: (202) 789-3960
mflannery@cuneolaw.com

Don Barrett (*pro hac vice*)
Sterling Aldridge (*pro hac vice*)
BARRETT LAW GROUP, P.A.
P.O. Box 927
404 Court Square North
Lexington, Mississippi 39095-0927
T: (662) 834-9168
donbarrett@pa@gmail.com
saldridge@barrettlawgroup.com

Jon Tostrud (#0251768)
Anthony Carter (to apply *pro hac vice*)
TOSTRUD LAW GROUP, PC
1925 Century Park East
Suite 2100
Los Angeles, CA 90067
T: (310) 278-2600
jtostrud@tostrudlaw.com
acarter@tostrudlaw.com

*Counsel for Erbert & Gerbert's, Inc. and the
Proposed Beef Commercial Indirect
Purchaser Plaintiffs*

/s/ Richard M. Paul III

Richard M. Paul III

Ashlea G. Schwarz

David Bodenheimer

PAUL LLP

601 Walnut Street, Suite 300

Kansas City, Missouri 64106

Telephone: (816) 984-8100

Rick@PaulLLP.com

Ashlea@PaulLLP.com

David@PaulLLP.com

Tab Turner

TURNER & ASSOCIATES, P.A.

4705 Somers Avenue

North Little Rock, Arkansas 72116

Telephone: (501) 791-2277

tab@tturner.com

Michael Montaña

GUERRA LLP

345 California St., Ste. 600

San Francisco, California 94104

Telephone: (210) 447-0500

Fax: (210) 447-0501

mmontano@guerrallp.com

Francisco Guerra IV.

Alicia O'Neill

Shalimar Wallis

Alexis R. Garcia

GUERRA LLP

San Antonio, Texas 78212

Phone: (210) 447-0500

Fax: (210) 447-0501

fguerra@guerrallp.com

aoneill@guerrallp.com

swallis@guerrallp.com

argarcia@guerrallp.com

Counsel for the Specht Plaintiffs

Richard Alan Arnold
William J. Blechman
Kevin J. Murray
Douglas H. Patton
Samuel J. Randall
Michael A. Ponzoli
KENNY NACHWALTER, P.A.
1441 Brickell Avenue, Suite 1100
Miami, FL 33131
rarnold@knpa.com
wblechman@knpa.com
kmurray@knpa.com
dpatton@knpa.com
srandall@knpa.com
mponzoli@knpa.com

Paul E. Slater
Joseph M. Vanek
David P. Germaine
Phillip F. Cramer
Alberto Rodriguez
Jeffrey H. Bergman
SPERLING & SLATER, LLC
55 West Monroe Street
Suite 3200
Chicago, IL 60603
pes@sperling-law.com
jvanek@sperling-law.com
dgermaine@sperling-law.com
pcramer@sperling-law.com
arodriguez@sperling-law.com
jbergman@sperling-law.com

David B. Esau
Kristin A. Gore
Garth T. Yearick
CARLTON FIELDS, P.A.
525 Okeechobee Boulevard
Suite 1200
West Palm Beach, FL 33401
desau@carltonfields.com
kgore@carltonfields.com
gyearick@carltonfields.com

Eric R. Lifvendahl
LIFVENDAHL LAW, LLC
265 Latrobe Avenue
Northfield IL 60093
Eric@liflaw.com

Richard L. Coffman
THE COFFMAN LAW FIRM
3355 W. Alabama Street, Suite 240
Houston, TX 77098
rcoffman@coffmanlawfirm.com

Bernard D. Marcus
Moiria Cain-Mannix
Brian C. Hill
Erin Gibson Allen
MARCUS & SHAPIRA LLP
One Oxford Center
35th Floor
Pittsburgh, PA 15219
marcus@marcus-shapira.com
cain-mannix@marcus-shapira.com
hill@marcus-shapira.com
Allen@marcus-shapira.com

Robert N. Kaplan
Elana Katcher
Matthew P. McCahill
**KAPLAN FOX & KILSHEIMER,
LLP**
850 Third Avenue
14th Floor
New York, NY 10022
rkaplan@kaplanfox.com
ekatcher@kaplanfox.com
mmccahill@kaplanfox.com

Scott E. Gant
BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
Washington, D.C. 20005
sgant@bsfllp.com

Colleen Harrison
BOIES SCHILLER FLEXNER LLP
333 Main Street
Armonk, NY 10504
charrison@bsfllp.com

Sarah L. Jones
BOIES SCHILLER FLEXNER LLP
2029 Century Park East Suite 1520 Los
Angeles, California 90067
sjones@bsfllp.com

Philip J. Iovieno
Jack G. Stern
Mark A. Singer
Justin V. Arborn
**CADWALADER, WICKERSHAM &
TAFT LLP**
200 Liberty Street
New York, NY 10281
philip.iovieno@cwt.com
jack.stern@cwt.com
mark.singer@cwt.com
justin.arborn@cwt.com

Patrick J. Ahern
Theodore B. Bell
AHERN AND ASSOCIATES, P.C.
Willoughby Tower
8 South Michigan Avenue, Suite 3600
Chicago, Illinois 60603
Ph: (312) 404-3760
patrick.ahern@ahernandassociatespc.com
theo.bell@ahernandassociatespc.com

Michael Calhoon
Julie B. Rubenstein
Christopher P. Wilson
Jana I. Seidl
Elizabeth E. Parker
Wyatt M. Carlock
BAKER BOTTS L.L.P.
700 K Street NW
Washington, DC 20001
Telephone: (202) 639-7739
Facsimile: (202) 585-1058
michael.calhoon@bakerbotts.com
julie.rubenstein@bakerbotts.com
christopher.wilson@bakerbotts.com
jana.seidl@bakerbotts.com
elizabeth.parker@bakerbotts.com
wyatt.carlock@bakerbotts.com

David C. Eddy
Dennis J. Lynch
Travis C. Wheeler
MAYNARD NEXSEN PC
1230 Main Street, Suite 700
Columbia, SC 29201
Telephone: (803) 771-8900
Facsimile: (803) 253-8277
deddy@maynardnexsen.com
dlynch@maynardnexsen.com
twheeler@maynardnexsen.com

Counsel for Direct Action Plaintiffs